

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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 In re: EPHEDRA PRODUCTS LIABILITY - : 04 M.D. 1598 (JSR)  
 LITIGATION :  
 : ORDER OF PAYMENT

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 PERTAINS TO ALL CASES

JED S. RAKOFF, U.S.D.J.

In Case Management Order No. 44 ¶¶ 5-6, the Court granted two motions by Plaintiffs' Coordinating Counsel ("PCC") for three payments from the Ephedra Plaintiffs' Common Expense Fund held by the Clerk pursuant to Case Management Order No. 7 ¶ 2(a) after certain minor adjustments to the expenses referenced in ¶ 6.

NOW, THEREFORE, the Clerk is hereby directed to issue a check for \$260,349.16 to the order of Brown, Rudnick, Berlack & Israels, LLP ("the Firm") and hand it over to a person sent for it by the Firm in exchange for a receipt on the Firm's letterhead identifying the check by amount and payee and signed and dated by the person receiving the check. The Clerk shall preserve the receipt and the files of the Fund. The Firm shall then distribute the proceeds as specified in the PCC's motions granted by ¶¶ 5-6, except that the amount paid to Andrews & Thornton shall be reduced by \$2,850.87 (airfares reduced to coach rates) and the amount paid to Whetstone Myers LLC shall be reduced by \$85.39 (meals reduced to the Court's per diem cap). The \$260,349.16 check breaks down as follows:

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Case Management Order No. 44 ¶ 5	\$103,095.00
Case Management Order No. 44 ¶ 5	\$10,020.49
requested in motion underlying Case Management Order No. 44 ¶ 6	\$150,169.93
Andrews & Thornton adjustment	(\$2,850.87)
Whetstone Myers adjustment	(\$85.39)
<b>TOTAL</b>	<b>\$260,349.16</b>

Funds for the \$260,349.16 check shall be withdrawn from the Ephedra Plaintiffs' Common Expense Fund.

SO ORDERED.

  
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JED S. RAKOFF U.S.D.J.

Dated: New York, New York  
March 12, 2008